

BEFORE THE GROWTH MANAGEMENT HEARINGS BOARD
WESTERN WASHINGTON REGION
STATE OF WASHINGTON

WILLIAM H. WRIGHT,

Petitioner,

v.

SAN JUAN COUNTY,

Respondent.

Case No. 14-2-0005

**DETERMINATION ON MOTION TO
DISQUALIFY (BOARD MEMBER ROEHL)**

The Petitioner in the above referenced matter, William H. Wright, has filed a motion to disqualify me for cause from hearing the case. The motion includes several allegations, and I will attempt to respond to each of them which rises to a possible reason for disqualification under WAC 242-03-570. That rule refers to disqualification for bias, prejudice, interest, or any other cause as provided in RCW 34.05.425.

In addition to careful review of the motion for disqualification, I have considered the Growth Management Hearings Board's Code of Ethics, RCW 34.05.425, and the statutes governing Ethics in Public Service, chapter 42.52 RCW. Following that consideration, I can state without qualification my belief that no grounds for my disqualification exist.

The motion references my past political activities as well as my wife's years of community service. RCW 36.70A.270(3) merely provides that a board member shall not be a candidate for or hold any other public office or trust, or engage in any occupation or business interfering with or inconsistent with his or her duty as a board member. I am not, nor have I been during my time on the Board, a candidate or public office holder. Nor am I engaged in any occupation or business inconsistent with my Board duties. The Motion also references RCW 43.21B.060. Although that statute has no applicability to the GMHB, I have not and am not serving on or under any committee of a political party.

1 The disqualification motion references an ex-parte communication with Randall
2 Gaylord, the San Juan County Prosecuting Attorney. The only communications I have ever
3 had with Mr. Gaylord, whether oral or written, followed the conclusion of a three-day Hearing
4 on the Merits in Case No. 13-2-0012c. My recollection is that I spoke to Counsel for several
5 of the parties and introduced myself to Mr. Gaylord as well. At no time did I communicate,
6 directly or indirectly, with him regarding any issue in the proceeding.
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8 Finally, the disqualification motion questions some decisions I made as the Presiding
9 Officer in Case No. 13-2-0012c, as well as decisions made by the three member panel on
10 that case. None of those decisions were made by me based on bias, prejudice, interest, or
11 any other cause referenced in RCW 34.05.425 or WAC 242-03-570.
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13 Having considered the bases for disqualification in RCW 34.05.425 and WAC 242-
14 03-570, I conclude I have no bias, prejudice, interest, or any other cause for disqualification.
15 Consequently, I decline to recuse myself from service in Case No. 14-2-0005.
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17 DATED this 3rd day of April, 2014.
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20 William Roehl, Presiding Officer
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